

VERIFICATION OF A TRANSLATION

I, the below named translator, hereby declare that:

My name and post office address are as stated below:

That I am knowledgeable in the English language and in the language in which the below identified international application was filed, and that I believe the English translation of the international application No. PCT/JP98/02148 is a true and complete translation of the above identified international application as filed.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: September 17, 1999

Full name of the translator Akiko Kikuchi

Signature of the translator *Akiko Kikuchi*

Post Office Address c/o Techlex Co., Ltd., 7-6, Koishikawa 1-chome,  
Bunkyo-ku, Tokyo 112-0002 Japan

0321v

# PCT

## REQUEST

The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty.

For receiving Office use only

International Application No.

International Filing Date

Name of receiving Office and "PCT International Application"

Applicant's or agent's file reference

(if desired) (12 characters maximum)

1061

### Box No. I TITLE OF INVENTION

PEPTIDES HAVING A CYCLIC STRUCTURE AND RESTORING THE ACTIVITIES OF P53 PROTEIN TO MUTANT P53 PROTEIN

### Box No. II APPLICANT

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (i.e. country) of residence if no State of residence is indicated below.)

KYOWA HAKKO KOGYO CO., LTD.

6-1, Ohtemachi 1-chome, Chiyoda-ku, Tokyo 100-8185  
Japan

☐ This person is also inventor.

Telephone No.

03-3282-0036

Facsimile No.

03-3282-1527

Teleprinter No.

State (i.e. country) of nationality:

JP

State (i.e. country) of residence:

JP

This person is applicant for the purposes of:

☐ all designated States

☒ all designated States except the United States of America

☐ the United States of America only

☐ the States indicated in the Supplemental Box

### Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (i.e. country) of residence if no State of residence is indicated below.)

SHIBATA Kenji

1-630-9, Atago, Tama-shi, Tokyo 206-0041 Japan

This person is:

☐ applicant only

☒ applicant and inventor

☐ inventor only (If this check-box is marked, do not fill in below.)

State (i.e. country) of nationality:

JP

State (i.e. country) of residence:

JP

This person is applicant for the purposes of:

☐ all designated States

☐ all designated States except the United States of America

☒ the United States of America only

☐ the States indicated in the Supplemental Box

☒ Further applicants and/or (further) inventors are indicated on a continuation sheet.

### Box No. IV AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE

The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as:

☐ agent

☐ common representative

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)

Telephone No.

Facsimile No.

Teleprinter No.

☐ Mark this check-box where no agent or common representative is/has been appointed and the space above is used instead to indicate a special address to which correspondence should be sent.

## Continuation of Box No. III FURTHER APPLICANTS AND/OR (FURTHER) INVENTORS

*If none of the following sub-boxes is used, this sheet is not to be included in the request.*

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (i.e. country) of residence if no State of residence is indicated below.)

YAMASAKI Motoo

3-9-13, Naka-machi, Machida-shi, Tokyo 194-0021  
Japan

This person is:

☐ applicant only☒ applicant and inventor☐ inventor only (If this check-box is marked, do not fill in below.)

State (i.e. country) of nationality: JP

State (i.e. country) of residence: JP

This person is applicant for the purposes of:

☐ all designated States☐ all designated States except the United States of America☒ the United States of America only☐ the States indicated in the Supplemental Box

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (i.e. country) of residence if no State of residence is indicated below.)

YOSHIDA Tetsuo

4-17-17, Morino, Machida-shi, Tokyo 194-0022 Japan

This person is:

☐ applicant only☒ applicant and inventor☐ inventor only (If this check-box is marked, do not fill in below.)

State (i.e. country) of nationality: JP

State (i.e. country) of residence: JP

This person is applicant for the purposes of:

☐ all designated States☐ all designated States except the United States of America☒ the United States of America only☐ the States indicated in the Supplemental Box

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (i.e. country) of residence if no State of residence is indicated below.)

MIZUKAMI Tamio

2141-69, Honmachida, Machida-shi, Tokyo 194-0032  
Japan

This person is:

☐ applicant only☒ applicant and inventor☐ inventor only (If this check-box is marked, do not fill in below.)

State (i.e. country) of nationality: JP

State (i.e. country) of residence: JP

This person is applicant for the purposes of:

☐ all designated States☐ all designated States except the United States of America☒ the United States of America only☐ the States indicated in the Supplemental Box

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (i.e. country) of residence if no State of residence is indicated below.)

SHINKAI Akeo

3-9-11, Naka-machi, Machida-shi, Tokyo 194-0021  
Japan

This person is:

☐ applicant only☒ applicant and inventor☐ inventor only (If this check-box is marked, do not fill in below.)

State (i.e. country) of nationality: JP

State (i.e. country) of residence: JP

This person is applicant for the purposes of:

☐ all designated States☐ all designated States except the United States of America☒ the United States of America only☐ the States indicated in the Supplemental Box☒ Further applicants and/or (further) inventors are indicated on another continuation sheet.

## Continuation of Box No. III FURTHER APPLICANTS AND/OR (FURTHER) INVENTORS

*If none of the following sub-boxes is used, this sheet is not to be included in the request.*

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (i.e. country) of residence if no State of residence is indicated below.)

ANAZAWA Hideharu

4-19-18, Minami-ohizumi, Nerima-ku, Tokyo 178-0064  
Japan

This person is:

☐ applicant only

☒ applicant and inventor

☐ inventor only (If this check-box is marked, do not fill in below.)

State (i.e. country) of nationality: JP

State (i.e. country) of residence: JP

This person is applicant for the purposes of:

☐ all designated States

☐ all designated States except the United States of America

☒ the United States of America only

☐ the States indicated in the Supplemental Box

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (i.e. country) of residence if no State of residence is indicated below.)

This person is:

☐ applicant only

☐ applicant and inventor

☐ inventor only (If this check-box is marked, do not fill in below.)

State (i.e. country) of nationality:

State (i.e. country) of residence:

This person is applicant for the purposes of:

☐ all designated States

☐ all designated States except the United States of America

☐ the United States of America only

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Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (i.e. country) of residence if no State of residence is indicated below.)

This person is:

☐ applicant only

☐ applicant and inventor

☐ inventor only (If this check-box is marked, do not fill in below.)

State (i.e. country) of nationality:

State (i.e. country) of residence:

This person is applicant for the purposes of:

☐ all designated States

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Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (i.e. country) of residence if no State of residence is indicated below.)

This person is:

☐ applicant only

☐ applicant and inventor

☐ inventor only (If this check-box is marked, do not fill in below.)

State (i.e. country) of nationality:

State (i.e. country) of residence:

This person is applicant for the purposes of:

☐ all designated States

☐ all designated States except the United States of America

☐ the United States of America only

☐ the States indicated in the Supplemental Box

☐ Further applicants and/or (further) inventors are indicated on another continuation sheet.

## Box No.V DESIGNATION OF STATES

The following designations are hereby made under Rule 4.9(a) (mark the applicable check-boxes; at least one must be marked):

## Regional Patent

- ☐ AP ARIPO Patent: GH Ghana, KE Kenya, LS Lesotho, MW Malawi, SD Sudan, SZ Swaziland, UG Uganda, ZW Zimbabwe, and any other State which is a Contracting State of the Harare Protocol and of the PCT
- ☒ EA Eurasian Patent: AM Armenia, AZ Azerbaijan, BY Belarus, KG Kyrgyzstan, KZ Kazakstan, MD Republic of Moldova, RU Russian Federation, TJ Tajikistan, TM Turkmenistan, and any other State which is a Contracting State of the Eurasian Patent Convention and of the PCT
- ☒ EP European Patent: AT Austria, BE Belgium, CH and LI Switzerland and Liechtenstein, DE Germany, DK Denmark, ES Spain, FI Finland, FR France, GB United Kingdom, GR Greece, IE Ireland, IT Italy, LU Luxembourg, MC Monaco, NL Netherlands, PT Portugal, SE Sweden, and any other State which is a Contracting State of the European Patent Convention and of the PCT
- ☐ OA OAPI Patent: BF Burkina Faso, BJ Benin, CF Central African Republic, CG Congo, CI Côte d'Ivoire, CM Cameroon, GA Gabon, GN Guinea, ML Mali, MR Mauritania, NE Niger, SN Senegal, TD Chad, TG Togo, and any other State which is a member State of OAPI and a Contracting State of the PCT (if other kind of protection or treatment desired, specify on dotted line)

## National Patent (if other kind of protection or treatment desired, specify on dotted line):

- |   |   |
|---|---|
| <input type="checkbox"/> AL Albania                               | <input type="checkbox"/> LV Latvia                                    |
| <input type="checkbox"/> AM Armenia                               | <input type="checkbox"/> MD Republic of Moldova                       |
| <input type="checkbox"/> AT Austria                               | <input type="checkbox"/> MG Madagascar                                |
| <input checked="" type="checkbox"/> AU Australia                  | <input type="checkbox"/> MK The former Yugoslav Republic of Macedonia |
| <input type="checkbox"/> AZ Azerbaijan                            |   |
| <input type="checkbox"/> BA Bosnia and Herzegovina                | <input type="checkbox"/> MN Mongolia                                  |
| <input type="checkbox"/> BB Barbados                              | <input type="checkbox"/> MW Malawi                                    |
| <input checked="" type="checkbox"/> BG Bulgaria                   | <input checked="" type="checkbox"/> MX Mexico                         |
| <input checked="" type="checkbox"/> BR Brazil                     | <input checked="" type="checkbox"/> NO Norway                         |
| <input type="checkbox"/> BY Belarus                               | <input checked="" type="checkbox"/> NZ New Zealand                    |
| <input checked="" type="checkbox"/> CA Canada                     | <input checked="" type="checkbox"/> PL Poland                         |
| <input type="checkbox"/> CH and LI Switzerland and Liechtenstein  | <input type="checkbox"/> PT Portugal                                  |
| <input checked="" type="checkbox"/> CN China                      | <input checked="" type="checkbox"/> RO Romania                        |
| <input type="checkbox"/> CU Cuba                                  | <input type="checkbox"/> RU Russian Federation                        |
| <input checked="" type="checkbox"/> CZ Czech Republic             | <input type="checkbox"/> SD Sudan                                     |
| <input type="checkbox"/> DE Germany                               | <input type="checkbox"/> SE Sweden                                    |
| <input type="checkbox"/> DK Denmark                               | <input checked="" type="checkbox"/> SG Singapore                      |
| <input type="checkbox"/> EE Estonia                               | <input checked="" type="checkbox"/> SI Slovenia                       |
| <input type="checkbox"/> ES Spain                                 | <input checked="" type="checkbox"/> SK Slovakia                       |
| <input type="checkbox"/> FI Finland                               | <input type="checkbox"/> SL Sierra Leone                              |
| <input type="checkbox"/> GB United Kingdom                        | <input type="checkbox"/> TJ Tajikistan                                |
| <input type="checkbox"/> GE Georgia                               | <input type="checkbox"/> TM Turkmenistan                              |
| <input type="checkbox"/> GH Ghana                                 | <input type="checkbox"/> TR Turkey                                    |
| <input checked="" type="checkbox"/> HU Hungary                    | <input type="checkbox"/> TT Trinidad and Tobago                       |
| <input checked="" type="checkbox"/> IL Israel                     | <input checked="" type="checkbox"/> UA Ukraine                        |
| <input type="checkbox"/> IS Iceland                               | <input type="checkbox"/> UG Uganda                                    |
| <input checked="" type="checkbox"/> JP Japan                      | <input checked="" type="checkbox"/> US United States of America       |
| <input type="checkbox"/> KE Kenya                                 |   |
| <input type="checkbox"/> KG Kyrgyzstan                            | <input type="checkbox"/> UZ Uzbekistan                                |
| <input type="checkbox"/> KP Democratic People's Republic of Korea | <input checked="" type="checkbox"/> VN Viet Nam                       |
|   | <input type="checkbox"/> YU Yugoslavia                                |
| <input checked="" type="checkbox"/> KR Republic of Korea          | <input type="checkbox"/> ZW Zimbabwe                                  |
| <input type="checkbox"/> KZ Kazakstan                             |   |
| <input type="checkbox"/> LC Saint Lucia                           |   |
| <input type="checkbox"/> LK Sri Lanka                             |   |
| <input type="checkbox"/> LR Liberia                               |   |
| <input type="checkbox"/> LS Lesotho                               |   |
| <input type="checkbox"/> LT Lithuania                             |   |
| <input type="checkbox"/> LU Luxembourg                            |   |

Check-boxes reserved for designating States (for the purposes of a national patent) which have become party to the PCT after issuance of this sheet:

In addition to the designations made above, the applicant also makes under Rule 4.9(b) all designations which would be permitted under the PCT except the designation(s) of \_\_\_\_\_

The applicant declares that those additional designations are subject to confirmation and that any designation which is not confirmed before the expiration of 15 months from the priority date is to be regarded as withdrawn by the applicant at the expiration of that time limit. (Confirmation of a designation consists of the filing of a notice specifying that designation and the payment of the designation and confirmation fees. Confirmation must reach the receiving Office within the 15-month time limit.)

<b>Box No. VI PRIORITY CLAIM</b>		Further priority claims are indicated in the Supplemental Box <input type="checkbox"/>	
The priority of the following earlier application(s) is hereby claimed:			
Country <i>(in which, or for which, the application was filed)</i>	Filing Date <i>(day/month/year)</i>	Application No.	Office of filing <i>(only for regional or international application)</i>
item (1) <div style="text-align: center;">JP</div>	<div style="text-align: center;">15.05.97</div>	<div style="text-align: center;">126113/97</div>	
item (2)			
item (3)			
<i>Mark the following check-box if the certified copy of the earlier application is to be issued by the Office which for the purposes of the present international application is the receiving Office (a fee may be required):</i> <input checked="" type="checkbox"/> The receiving Office is hereby requested to prepare and transmit to the International Bureau a certified copy of the earlier application(s) identified above as item(s) : ( 1 )			
<b>Box No. VII INTERNATIONAL SEARCHING AUTHORITY</b>			
Choice of International Searching Authority (ISA) <i>(If two or more International Searching Authorities are competent to carry out the international search, indicate the Authority chosen; the two-letter code may be used):</i> ISA / JP			
<i>Earlier search Fill in where a search (international, international-type or other) by the International Searching Authority has already been carried out or requested and the Authority is now requested to base the international search, to the extent possible, on the results of that earlier search. Identify such search or request either by reference to the relevant application (or the translation thereof) or by reference to the search request:</i> Country (or regional Office):      Date (day/month/year):      Number:			
<b>Box No. VIII CHECK LIST</b>			
This international application contains the following number of sheets: 1. request : 5 sheets 2. description : 83 sheets 3. claims : 7 sheets 4. abstract : 1 sheets 5. drawings : 7 sheets  <div style="text-align: right;">Total : 103 sheets</div>		This international application is accompanied by the item(s) marked below: 1. <input type="checkbox"/> separate signed power of attorney      5. <input checked="" type="checkbox"/> fee calculation sheet 2. <input type="checkbox"/> copy of general power of attorney      6. <input type="checkbox"/> separate indications concerning deposited microorganisms 3. <input type="checkbox"/> statement explaining lack of signature      7. <input checked="" type="checkbox"/> nucleotide and/or amino acid sequence listing (diskette) 4. <input type="checkbox"/> priority document(s) identified in Box No. VI as item(s):      8. <input checked="" type="checkbox"/> other (specify): request for transmittal of priority document, written statement and document providing information about FD record format, etc.	
Figure No. _____ of the drawings (if any) should accompany the abstract when it is published.			
<b>Box No. IX SIGNATURE OF APPLICANT OR AGENT</b>			
<i>Next to each signature, indicate the name of the person signing and the capacity in which the person signs (if such capacity is not obvious from reading the request).</i> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>KYOWA HAKKO KOGYO CO., LTD.</div> <div>YOSHIDA Tetsuo</div> <div>SHINKAI Akeo</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>SHIBATA Kenji</div> <div>YAMASAKI Motoo</div> <div>MIZUKAMI Tamio</div> <div>ANAZAWA Hideharu</div> </div>			

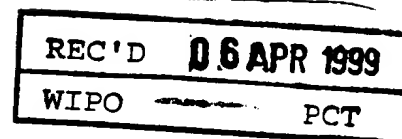
For receiving Office use only		2. Drawings:  <input type="checkbox"/> received:  <input type="checkbox"/> not received:
1. Date of actual receipt of the purported international application:		
3. Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application:		
4. Date of timely receipt of the required corrections under PCT Article 11(2):		
5. International Searching Authority specified by the applicant: ISA / JP	6. <input type="checkbox"/> Transmittal of search copy delayed until search fee is paid	

For International Bureau use only Date of receipt of the record copy by the International Bureau:	
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PCT

国際予備審査報告

(法第12条、法施行規則第56条)  
〔PCT36条及びPCT規則70〕



出願人又は代理人 の書類記号 1061	今後の手続きについては、国際予備審査報告の送付通知（様式PCT/ IPEA/416）を参照すること。	
国際出願番号 PCT/J98/02148	国際出願日 (日.月.年) 15.05.98	優先日 (日.月.年) 15.05.97
国際特許分類 (IPC) Int. Cl <sup>8</sup> . C07K14/82 // C12N15/09, A61K38/17		
出願人 (氏名又は名称) 協和醗酵工業株式会社		

1. 国際予備審査機関が作成したこの国際予備審査報告を法施行規則第57条 (PCT36条) の規定に従い送付する。
2. この国際予備審査報告は、この表紙を含めて全部で 3 ページからなる。
- ☐ この国際予備審査報告には、附属書類、つまり補正されて、この報告の基礎とされた及び/又はこの国際予備審査機関に対してした訂正を含む明細書、請求の範囲及び/又は図面も添付されている。  
(PCT規則70.16及びPCT実施細則第607号参照)  
この附属書類は、全部で                      ページである。

3. この国際予備審査報告は、次の内容を含む。
- I ☒ 国際予備審査報告の基礎
- II ☐ 優先権
- III ☐ 新規性、進歩性又は産業上の利用可能性についての国際予備審査報告の不作成
- IV ☐ 発明の単一性の欠如
- V ☒ PCT35条(2)に規定する新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるための文献及び説明
- VI ☐ ある種の引用文献
- VII ☐ 国際出願の不備
- VIII ☐ 国際出願に対する意見

国際予備審査の請求書を受理した日 13.11.98	国際予備審査報告を作成した日 16.03.99	
名称及びあて先 日本国特許庁 (IPEA/JP) 郵便番号100-8915 東京都千代田区霞が関三丁目4番3号	特許庁審査官 (権限のある職員)  藤原 浩子	4H 9155
	電話番号 03-3581-1101 内線 3443	

## I. 国際予備審査報告の基礎

1. この国際予備審査報告は下記の出願書類に基づいて作成された。(法第6条(PCT14条)の規定に基づく命令に  
応答するために提出された差し替え用紙は、この報告書において「出願時」とし、本報告書には添付しない。  
PCT規則70.16, 70.17)

☒ 出願時の国際出願書類

- ☐ 明細書 第 \_\_\_\_\_ ページ、 出願時に提出されたもの  
明細書 第 \_\_\_\_\_ ページ、 国際予備審査の請求書と共に提出されたもの  
明細書 第 \_\_\_\_\_ ページ、 \_\_\_\_\_ 付の書簡と共に提出されたもの
- ☐ 請求の範囲 第 \_\_\_\_\_ 項、 出願時に提出されたもの  
請求の範囲 第 \_\_\_\_\_ 項、 PCT19条の規定に基づき補正されたもの  
請求の範囲 第 \_\_\_\_\_ 項、 国際予備審査の請求書と共に提出されたもの  
請求の範囲 第 \_\_\_\_\_ 項、 \_\_\_\_\_ 付の書簡と共に提出されたもの
- ☐ 図面 第 \_\_\_\_\_ ページ/図、 出願時に提出されたもの  
図面 第 \_\_\_\_\_ ページ/図、 国際予備審査の請求書と共に提出されたもの  
図面 第 \_\_\_\_\_ ページ/図、 \_\_\_\_\_ 付の書簡と共に提出されたもの
- ☐ 明細書の配列表の部分 第 \_\_\_\_\_ ページ、 出願時に提出されたもの  
明細書の配列表の部分 第 \_\_\_\_\_ ページ、 国際予備審査の請求書と共に提出されたもの  
明細書の配列表の部分 第 \_\_\_\_\_ ページ、 \_\_\_\_\_ 付の書簡と共に提出されたもの

2. 上記の出願書類の言語は、下記に示す場合を除くほか、この国際出願の言語である。

上記の書類は、下記の言語である \_\_\_\_\_ 語である。

- ☐ 国際調査のために提出されたPCT規則23.1(b)にいう翻訳文の言語  
☐ PCT規則48.3(b)にいう国際公開の言語  
☐ 国際予備審査のために提出されたPCT規則55.2または55.3にいう翻訳文の言語

3. この国際出願は、ヌクレオチド又はアミノ酸配列を含んでおり、次の配列表に基づき国際予備審査報告を行った。

- ☒ この国際出願に含まれる書面による配列表  
☐ この国際出願と共に提出されたフレキシブルディスクによる配列表  
☐ 出願後に、この国際予備審査(または調査)機関に提出された書面による配列表  
☐ 出願後に、この国際予備審査(または調査)機関に提出されたフレキシブルディスクによる配列表  
☐ 出願後に提出した書面による配列表が出願時における国際出願の開示の範囲を超える事項を含まない旨の陳述書の提出があった  
☐ 書面による配列表に記載した配列とフレキシブルディスクによる配列表に記載した配列が同一である旨の陳述書の提出があった。

4. 補正により、下記の書類が削除された。

- ☐ 明細書 第 \_\_\_\_\_ ページ  
☐ 請求の範囲 第 \_\_\_\_\_ 項  
☐ 図面 図面の第 \_\_\_\_\_ ページ/図

5. ☐ この国際予備審査報告は、補充欄に示したように、補正が出願時における開示の範囲を越えてされたものと認められるので、その補正がされなかったものとして作成した。(PCT規則70.2(c) この補正を含む差し替え用紙は上記1.における判断の際に考慮しなければならず、本報告に添付する。)



V. 新規性、進歩性又は産業上の利用可能性についての法第12条（PCT35条(2)）に定める見解、それを裏付ける文献及び説明

1. 見解

新規性 (N)

請求の範囲 1 - 16 有  
請求の範囲 無

進歩性 (I S)

請求の範囲 1 - 16 有  
請求の範囲 無

産業上の利用可能性 (I A)

請求の範囲 1 - 16 有  
請求の範囲 無

2. 文献及び説明 (PCT規則70.7)

18  
T  
Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 1 0 6 1	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/JP98/02148	International filing date (day/month/year) 15 May 1998 (15.05.1998)	Priority date (day/month/year) 15 May 1997 (15.05.1997)
International Patent Classification (IPC) or national classification and IPC C07K 14/82 // C12N 15/09, A61K 38/17		
Applicant KYOWA HAKKO KOGYO CO., LTD.		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of _____ sheets.</p>
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>

Date of submission of the demand 13 November 1998 (13.11.1998)	Date of completion of this report 16 March 1999 (16.03.1999)
Name and mailing address of the IPEA/JP Japanese Patent Office, 4-3 Kasumigaseki 3-chome Chiyoda-ku, Tokyo 100-8915, Japan Facsimile No.	Authorized officer Telephone No. (81-3) 3581 1101

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP98/02148

**I. Basis of the report****1. With regard to the elements of the international application:\***

- ☒ the international application as originally filed
- ☐ the description:  
pages \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the claims:  
pages \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, as amended (together with any statement under Article 19  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the drawings:  
pages \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the sequence listing part of the description:  
pages \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

**2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.**

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

**3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:**

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

**4. ☐ The amendments have resulted in the cancellation of:**

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/fig \_\_\_\_\_

**5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\***

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP98/02148

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. Statement

Novelty (N)	Claims	1-16	YES
	Claims		NO
Inventive step (IS)	Claims	1-16	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-16	YES
	Claims		NO

### 2. Citations and explanations



P.B.5818 - Patentaan 2  
2280 HV Rijswijk (ZH)  
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TX 31651 epo nl  
FAX +31 70 340 3016

Europäisches  
Patentamt

Zweigstelle  
in Den Haag  
Recherchen-  
abteilung

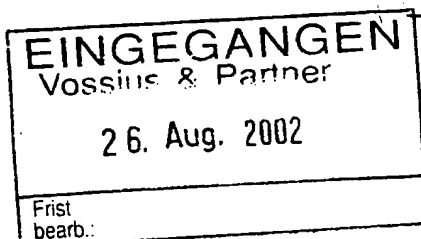
European  
Patent Office

Branch at  
The Hague  
Search  
division

Office européen  
des brevets

Département à  
La Haye  
Division de la  
recherche

VOSSIUS & PARTNER  
Siebertstrasse 4  
81675 München  
ALLEMAGNE



Datum/Date

23.08.02

Zeichen/Ref./Réf.

D 2638 EP

Anmeldung Nr./Application No./Demande n°/Patent Nr./Patent No./Brevet n°.

98919612.6-2406-JP9802148

Anmelder/Applicant/Demandeur/Patentinhaber/Propriétaire/Titulaire

KYOWA HAKKO KOGYO CO., LTD.

## COMMUNICATION

The European Patent Office herewith transmits as an enclosure the European search report for the above-mentioned European patent application.

If applicable, copies of the documents cited in the European search report are attached.

☒ Additional set(s) of copies of the documents cited in the European search report is (are) enclosed as well.

The following specifications given by the applicant have been approved by the Search Division:

☒ abstract

☒ title

☐ The abstract was modified by the Search Division and the definitive text is attached to this communication.

The following figure will be published together with the abstract: NONE

## REFUND OF THE SEARCH FEE

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.





European Patent  
Office

**SUPPLEMENTARY  
PARTIAL EUROPEAN SEARCH REPORT**

Application Number

which under Rule 45 of the European Patent Convention EP 98 91 9612  
shall be considered, for the purposes of subsequent  
proceedings, as the European search report

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.6)
A	WO 94 10306 A (EUROBIO LAB ;LEGROS YANN (FR); LUBIN RICHARD (FR); SOUSSI THIERRY) 11 May 1994 (1994-05-11) * the whole document *	1-16	C07K14/82 //C12N15/09, A61K38/17
A	HUPP T R ET AL: "SMALL PEPTIDES ACTIVATE THE LATENT SEQUENCE-SPECIFIC DNA BINDING FUNCTION OF P53" CELL, CELL PRESS, CAMBRIDGE, NA, US, vol. 83, 20 October 1995 (1995-10-20), pages 237-245, XP002003077 ISSN: 0092-8674 * the whole document *	1-16	
P,A	WO 98 01467 A (HOCHKEPPEL HEINZ KURT ;CIBA GEIGY AG (CH); GARCIA ECHEVERRIA CARLO) 15 January 1998 (1998-01-15) * the whole document *	1-16	
			TECHNICAL FIELDS SEARCHED (Int.Cl.6)
			C07K
The supplementary search report has been based on the last set of claims valid and available at the start of the search.			
<b>INCOMPLETE SEARCH</b>			
The Search Division considers that the present application, or some or all of its claims, does/do not comply with the EPC to such an extent that a meaningful search into the state of the art cannot be carried out, or can only be carried out partially, for the following claims:  Claims searched completely :  Claims searched incompletely :  Claims not searched :  Reason for the limitation of the search:  see sheet C			
Place of search <b>MUNICH</b>		Date of completion of the search <b>14 August 2002</b>	Examiner <b>Bilang, J</b>
CATEGORY OF CITED DOCUMENTS  X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document  T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons  & : member of the same patent family, corresponding document			

1

EPO FORM 1503 03.82 (P4/C20)



DOCUMENTS CONSIDERED TO BE RELEVANT			CLASSIFICATION OF THE APPLICATION (Int.Cl.6)
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	
T	SHIBATA K ET AL: "SYNTHESIS AND ACTIVITY OF CYCLIC PEPTIDES DERIVED FROM THE C-TERMINAL DOMAIN OF P53 RESTORING THE FUNCITON OF MUTANT P53" PEPTIDE SCIENCE, PROTEIN RESEARCH FOUNDATION, MINOO,, JP, 1998, pages 301-304, XP001080791 ISSN: 1344-7661 * the whole document * -----	1-16	
			TECHNICAL FIELDS SEARCHED (Int.Cl.6)



Claim(s) searched incompletely:  
1-16

Reason for the limitation of the search:

Present claims 1-16 relate to an extremely large number of possible compounds/products. Support within the meaning of Article 84 EPC and/or disclosure within the meaning of Article 83 EPC is to be found, however, for only a very small proportion of the compounds/products claimed. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Consequently, the search has been carried out for those parts of the claims which appear to be supported and disclosed, namely those parts relating to the compounds/products as shown in the examples of the present application.



**ANNEX TO THE EUROPEAN SEARCH REPORT  
ON EUROPEAN PATENT APPLICATION NO.**

EP 98 91 9612

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EDP file on  
The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

14-08-2002

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 9410306 A	11-05-1994	FR 2698367 A1	27-05-1994
		AU 5424694 A	24-05-1994
		CA 2148274 A1	11-05-1994
		EP 0666913 A1	16-08-1995
		WO 9410306 A1	11-05-1994
		JP 8502414 T	19-03-1996
WO 9801467 A	15-01-1998	AU 3847997 A	02-02-1998
		CA 2259149 A1	15-01-1998
		WO 9801467 A2	15-01-1998
		EP 0958305 A2	24-11-1999
		JP 2001500365 T	16-01-2001
		NZ 333609 A	25-08-2000
		US 2001018511 A1	30-08-2001

## INTERNATIONAL SEARCH REPORT

International application No.

PCT/JP98/02148

## A. CLASSIFICATION OF SUBJECT MATTER

Int.Cl<sup>6</sup> C07K14/82 // C12N15/09, A61K38/17

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

Int.Cl<sup>6</sup> C07K14/82, A61K38/17

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)  
CA (STN), REGISTRY (STN)

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO, 96/25434, A1 (BAYER CORP.), August 22, 1996 (22. 08. 96) & EP, 809655, A1	1-16
A	WO, 97/14794, A1 (UNIV. DUNDEE), April 24, 1997 (24. 04. 97) & AU, 9673174, A	1-16
A	SELIVANOVA, Galina et al., "Restration of the growth suppression function of mutant p53 by a synthetic peptide derived from the p53 C-terminal domain", Nat. Med. (N.Y.), 1997, 3(6), 632-638	1-16

☐ Further documents are listed in the continuation of Box C.☐ See patent family annex.

\* Special categories of cited documents:

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
- "&" document member of the same patent family

Date of the actual completion of the international search  
July 23, 1998 (23. 07. 98)Date of mailing of the international search report  
August 4, 1998 (04. 08. 98)Name and mailing address of the ISA/  
Japanese Patent Office

Authorized officer

Facsimile No.

Telephone No.

**RECEIVED**

JUN 22, 1998

**I.P. DEPT****PATENT COOPERATION TREATY****PCT**

From the INTERNATIONAL BUREAU

To:

KYOWA HAKKO KOGYO CO., LTD.  
6-1, Ohtemachi 1-chome  
Chiyoda-ku  
Tokyo 100-8185  
JAPON

**NOTIFICATION OF RECEIPT OF  
RECORD COPY**

(PCT Rule 24.2(a))

<b>Date of mailing (day/month/year)</b> 02 June 1998 (02.06.98)	<b>IMPORTANT NOTIFICATION</b>
<b>Applicant's or agent's file reference</b> 1 0 6 1	<b>International application No.</b> PCT/JP98/02148

The applicant is hereby notified that the International Bureau has received the record copy of the international application as detailed below.

Name(s) of the applicant(s) and State(s) for which they are applicants:

KYOWA HAKKO KOGYO CO., LTD. (for all designated States except US)

SHIBATA, Kenji et al (for US)

International filing date : 15 May 1998 (15.05.98)

Priority date(s) claimed : 15 May 1997 (15.05.97)

Date of receipt of the record copy  
by the International Bureau : 29 May 1998 (29.05.98)

List of designated Offices :

EA : AM, AZ, BY, KG, KZ, MD, RU, TJ, TM

EP : AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE

National : AU, BG, BR, CA, CN, CZ, HU, IL, JP, KR, MX, NO, NZ, PL, RO, SG, SI, SK, UA, US, VN

**ATTENTION**

The applicant should carefully check the data appearing in this Notification. In case of any discrepancy between these data and the indications in the international application, the applicant should immediately inform the International Bureau.

In addition, the applicant's attention is drawn to the information contained in the Annex, relating to:

- ☒ time limits for entry into the national phase;
- ☒ confirmation of precautionary designations;
- ☒ requirements regarding priority documents.

A copy of this Notification is being sent to the receiving Office and to the International Searching Authority.

<b>The International Bureau of WIPO</b> 34, chemin des Colombettes 1211 Geneva 20, Switzerland	<b>Authorized officer:</b>  Y. Hamano
<b>Facsimile No.</b> (41-22) 740.14.35	<b>Telephone No.</b> (41-22) 338.83.38

## INFORMATION ON TIME LIMITS FOR ENTERING THE NATIONAL PHASE

The applicant is reminded that the "national phase" must be entered before each of the designated Offices indicated in the Notification of Receipt of Record Copy (Form PCT/IB/301) by paying national fees and furnishing translations, as prescribed by the applicable national laws.

The time limit for performing these procedural acts is **20 MONTHS** from the priority date or, for those designated States which the applicant elects in a demand for international preliminary examination or in a later election, **30 MONTHS** from the priority date, provided that the election is made before the expiration of 19 months from the priority date. Some designated (or elected) Offices have fixed time limits which expire even later than 20 or 30 months from the priority date. In other Offices an extension of time or grace period, in some cases upon payment of an additional fee, is available.

In addition to these procedural acts, the applicant may also have to comply with other special requirements applicable in certain Offices. It is the applicant's responsibility to ensure that the necessary steps to enter the national phase are taken in a timely fashion. Most designated Offices do not issue reminders to applicants in connection with the entry into the national phase.

For detailed information about the procedural acts to be performed to enter the national phase before each designated Office, the applicable time limits and possible extensions of time or grace periods, and any other requirements, see the relevant Chapters of Volume II of the PCT Applicant's Guide. Information about the requirements for filing a demand for international preliminary examination is set out in Chapter IX of Volume I of the PCT Applicant's Guide.

GR and ES became bound by PCT Chapter II on 7 September 1996 and 6 September 1997, respectively, and may, therefore, be elected in a demand or a later election filed on or after 7 September 1996 and 6 September 1997, respectively, regardless of the filing date of the international application. (See second paragraph above.)

Note that only an applicant who is a national or resident of a PCT Contracting State which is bound by Chapter II has the right to file a demand for international preliminary examination.

## CONFIRMATION OF PRECAUTIONARY DESIGNATIONS

This notification lists only specific designations made under Rule 4.9(a) in the request. It is important to check that these designations are correct. Errors in designations can be corrected where precautionary designations have been made under Rule 4.9(b). The applicant is hereby reminded that any precautionary designations may be confirmed according to Rule 4.9(c) before the expiration of 15 months from the priority date. If it is not confirmed, it will automatically be regarded as withdrawn by the applicant. There will be no reminder and no invitation. Confirmation of a designation consists of the filing of a notice specifying the designated State concerned (with an indication of the kind of protection or treatment desired) and the payment of the designation and confirmation fees. Confirmation must reach the receiving Office within the 15-month time limit.

## REQUIREMENTS REGARDING PRIORITY DOCUMENTS

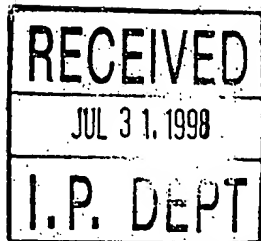
For applicants who have not yet complied with the requirements regarding priority documents the following is recalled.

Where the priority of an earlier national (i.e., national or regional) application is claimed, the applicant must submit a copy of the said national application, certified by the authority with which it was filed ("the priority document") to the receiving Office (which will transmit it to the International Bureau) or directly to the International Bureau, before the expiration of 16 months from the priority date (Rule 17.1).

Where the priority document is issued by the receiving Office, the applicant may, instead of submitting the priority document, request the receiving Office to prepare and transmit the priority document to the International Bureau. Such request must be made before the expiration of the 16-month time limit.

It is recalled that, where several priorities are claimed, the priority date to be considered for the purposes of computing the 16-month time limit is the filing date of the earliest application whose priority is claimed.

If the priority document concerned is not submitted to the International Bureau before the expiration of the 16-month time limit, or if the request to the receiving Office to transmit the priority document has not been made (and the corresponding fee, if any, paid) before the expiration of this time limit, any designated State may disregard the priority claim.



## PATENT COOPERATION TREATY

WPBJD

PCT

From the INTERNATIONAL BUREAU

To:

KYOWA HAKKO KOGYO CO., LTD.  
6-1, Ohtemachi 1-chome  
Chiyoda-ku  
Tokyo 100-8185  
JAPON

NOTIFICATION CONCERNING  
SUBMISSION OR TRANSMITTAL  
OF PRIORITY DOCUMENT

(PCT Administrative Instructions, Section 411)

Date of mailing (day/month/year) 20 July 1998 (20.07.98)	<b>IMPORTANT NOTIFICATION</b>
Applicant's or agent's file reference 1 0 6 1	
International application No. PCT/JP98/02148	
International publication date (day/month/year) Not yet published	
Applicant KYOWA HAKKO KOGYO CO., LTD. et al	International filing date (day/month/year) 15 May 1998 (15.05.98)  Priority date (day/month/year) 15 May 1997 (15.05.97)

- The applicant is hereby notified of the date of receipt (except where the letters "NR" appear in the right-hand column) by the International Bureau of the priority document(s) relating to the earlier application(s) indicated below. Unless otherwise indicated by an asterisk appearing next to a date of receipt, or by the letters "NR", in the right-hand column, the priority document concerned was submitted or transmitted to the International Bureau in compliance with Rule 17.1(a) or (b).
- This updates and replaces any previously issued notification concerning submission or transmittal of priority documents.
- An asterisk(\*) appearing next to a date of receipt, in the right-hand column, denotes a priority document submitted or transmitted to the International Bureau but not in compliance with Rule 17.1(a) or (b). In such a case, the attention of the applicant is directed to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.
- The letters "NR" appearing in the right-hand column denote a priority document which was not received by the International Bureau or which the applicant did not request the receiving Office to prepare and transmit to the International Bureau, as provided by Rule 17.1(a) or (b), respectively. In such a case, the attention of the applicant is directed to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.

<u>Priority date</u>	<u>Priority application No.</u>	<u>Country or regional Office or PCT receiving Office</u>	<u>Date of receipt of priority document</u>
15 May 1997 (15.05.97)	9/126113	JP	17 July 1998 (17.07.98)

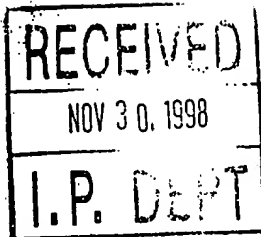
The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Facsimile No. (41-22) 740.14.35

Authorized officer

Sean Taylor

Telephone No. (41-22) 338.83.38



PATENT COOPERATION ATY

PLPJP  
WPCJD  
PCLD

From the INTERNATIONAL BUREAU

To:  
KYOWA HAKKO KOGYO CO., LTD.  
6-1, Ohtemachi 1-chome  
Chiyoda-ku  
Tokyo 100-8185  
JAPON

NOTICE INFORMING THE APPLICANT OF THE  
COMMUNICATION OF THE INTERNATIONAL  
APPLICATION TO THE DESIGNATED OFFICES

(PCT Rule 47.1(c), first sentence)

Date of mailing (day/month/year) 19 November 1998 (19.11.98)		
Applicant's or agent's file reference 1 0 6 1		IMPORTANT NOTICE
International application No. PCT/JP98/02148	International filing date (day/month/year) 15 May 1998 (15.05.98)	Priority date (day/month/year) 15 May 1997 (15.05.97)
Applicant KYOWA HAKKO KOGYO CO., LTD. et al		

1. Notice is hereby given that the International Bureau has communicated, as provided in Article 20, the international application to the following designated Offices on the date indicated above as the date of mailing of this Notice:  
AU,BR,CA,CN,EP,IL,JP,KR,NO,PL,US

In accordance with Rule 47.1(c), third sentence, those Offices will accept the present Notice as conclusive evidence that the communication of the international application has duly taken place on the date of mailing indicated above and no copy of the international application is required to be furnished by the applicant to the designated Office(s).

2. The following designated Offices have waived the requirement for such a communication at this time:  
BG,CZ,EA,HU,MX,NZ,RO,SG,SI,SK,UA,VN

~~The communication will be made to those Offices only upon their request. Furthermore, those Offices do not require the applicant to furnish a copy of the international application (Rule 49.1(a-bis)).~~

3. Enclosed with this Notice is a copy of the international application as published by the International Bureau on 19 November 1998 (19.11.98) under No. WO 98/51707

**REMINDER REGARDING CHAPTER II (Article 31(2)(a) and Rule 54.2)**

If the applicant wishes to postpone entry into the national phase until 30 months (or later in some Offices) from the priority date, a demand for international preliminary examination must be filed with the competent International Preliminary Examining Authority before the expiration of 19 months from the priority date.

It is the applicant's sole responsibility to monitor the 19-month time limit.

Note that only an applicant who is a national or resident of a PCT Contracting State which is bound by Chapter II has the right to file a demand for international preliminary examination.

**REMINDER REGARDING ENTRY INTO THE NATIONAL PHASE (Article 22 or 39(1))**

If the applicant wishes to proceed with the international application in the national phase, he must, within 20 months or 30 months, or later in some Offices, perform the acts referred to therein before each designated or elected Office.

For further important information on the time limits and acts to be performed for entering the national phase, see the Annex to Form PCT/IB/301 (Notification of Receipt of Record Copy) and Volume II of the PCT Applicant's Guide.

The International Bureau of WIPO 34, chemin des Colmbettes 1211 Geneva 20, Switzerland Facsimile No. (41-22) 740.14.35	Authorized officer J. Zahra Telephone No. (41-22) 338.83.38
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PCT

EP

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国際調査報告

(法 8 条、法施行規則第40、41条)

[PCT 18条、PCT規則43、44]

出願人又は代理人 の書類記号 1061	今後の手続きについては、国際調査報告の送付通知様式(PCT/ISA/220)及び下記5を参照すること。	
国際出願番号 PCT/JP98/02148	国際出願日 (日.月.年) 15.05.98	優先日 (日.月.年) 15.05.97
出願人 (氏名又は名称) 協和醗酵工業株式会社		

国際調査機関が作成したこの国際調査報告を法施行規則第41条(PCT 18条)の規定に従い出願人に送付する。  
この写しは国際事務局にも送付される。

この国際調査報告は、全部で 2 ページである。

☐ この調査報告に引用された先行技術文献の写しも添付されている。

1. ☐ 請求の範囲の一部の調査ができない(第I欄参照)。
2. ☐ 発明の単一性が欠如している(第II欄参照)。
3. ☒ この国際出願は、ヌクレオチド及び/又はアミノ酸配列リストを含んでおり、次の配列リストに基づき国際調査を行った。
  - ☒ この国際出願と共に提出されたもの
  - ☐ 出願人がこの国際出願とは別に提出したもの
  - ☐ しかし、出願時の国際出願の開示の範囲を越える事項を含まない旨を記載した書面が添付されていない
  - ☐ この国際調査機関が書換えたもの
4. 発明の名称は ☒ 出願人が提出したものを承認する。  
☐ 次に示すように国際調査機関が作成した。  
 \_\_\_\_\_
5. 要約は ☒ 出願人が提出したものを承認する。  
☐ 第III欄に示されているように、法施行規則第47条(PCT規則38.2(b))の規定により国際調査機関が作成した。出願人は、この国際調査報告の発送の日から1カ月以内にこの国際調査機関に意見を提出することができる。
6. 要約書とともに公表される図は、  
 第 \_\_\_\_\_ 図とする。☐ 出願人が示したとおりである。 ☒ なし  
☐ 出願人は図を示さなかった。  
☐ 本図は発明の特徴を一層よく表している。

## A. 発明の属する分野の分類 (国際特許分類 (IPC))

Int.Cl.<sup>6</sup> C07K14/82 // C12N15/09, A61K38/17

## B. 調査を行った分野

調査を行った最小限資料 (国際特許分類 (IPC))

Int.Cl.<sup>6</sup> C07K14/82, A61K38/17

最小限資料以外の資料で調査を行った分野に含まれるもの

国際調査で使用した電子データベース (データベースの名称、調査に使用した用語)  
CA (STN), REGISTRY (STN)

## C. 関連すると認められる文献

引用文献の カテゴリー*	引用文献名 及び一部の箇所が関連するときは、その関連する箇所の表示	関連する 請求の範囲の番号
A	WO, 96/25434, A1 (BAYER CORP.) 22. 8月. 1996 (22. 08. 96) & EP, 809655, A1	1-16
A	WO, 97/14794, A1 (UNIV. DUNDEE) 24. 4月. 1997 (24. 04. 97) & AU, 9673174, A	1-16
A	SELIVANOVA, Galina et al. "Restration of the growth suppression function of mutant p53 by a synthetic peptide derived from the p53 C-terminal domain", Nat. Med. (N. Y.), 1997, 3(6), 632-638	1-16

☐ C欄の続きにも文献が列挙されている。☐ パテントファミリーに関する別紙を参照。

## \* 引用文献のカテゴリー

- 「A」 特に関連のある文献ではなく、一般的技術水準を示すもの  
「E」 先行文献ではあるが、国際出願日以後に公表されたもの  
「L」 優先権主張に疑義を提起する文献又は他の文献の発行日若しくは他の特別な理由を確立するために引用する文献 (理由を付す)  
「O」 口頭による開示、使用、展示等に言及する文献  
「P」 国際出願日前で、かつ優先権の主張の基礎となる出願

の日の後に公表された文献

- 「T」 国際出願日又は優先日後に公表された文献であって出願と矛盾するものではなく、発明の原理又は理論の理解のために引用するもの  
「X」 特に関連のある文献であって、当該文献のみで発明の新規性又は進歩性がないと考えられるもの  
「Y」 特に関連のある文献であって、当該文献と他の1以上の文献との、当業者にとって自明である組合せによって進歩性がないと考えられるもの  
「&」 同一パテントファミリー文献

国際調査を完了した日

23. 07. 98

国際調査報告の発送日

04.08.98

国際調査機関の名称及びあて先

日本国特許庁 (ISA/J P)

郵便番号 100-8915

東京都千代田区霞が関三丁目4番3号

特許庁審査官 (権限のある職員)

藤原 浩子

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